

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Tariff for natural gas service) Application No. NG-0006
available in the entire)
territory served by) ORDER ACCEPTING
NorthWestern Energy in the) NORTHWESTERN ENERGY'S
state of Nebraska.) TARIFF
)
) Entered: September 9, 2003

O P I N I O N A N D F I N D I N G S

On July 22, 2003, NorthWestern Energy (NW) filed an original tariff for natural gas service it provides in the state of Nebraska. Section 50(2) of LB 790 [2003] provides:

The rates, terms and conditions of service, and rate areas of a jurisdictional utility in effect on or before the effective date of this act shall remain in effect after the effective date of this act and shall be treated as if approved and adopted by the commission pursuant to the State Natural Gas Regulation Act.

After the tariff filing, the Nebraska Public Service Commission (Commission) staff inquired as to whether the rates, terms and conditions of service set forth in NW's filed tariff were in effect on or before the effective date of LB 790. Upon statements by NW that the rates, terms and conditions of service set forth in the tariff were previously in effect, the Commission staff requested that NW file a sworn verification to that effect.

On September 5, 2003, NW filed the Affidavit of Jeffrey Decker, Rates Analyst. The Decker Affidavit verified that the majority of rates, terms and conditions of service set forth in the tariff were in effect on or before the effective date of LB 790, as reflected in tariffs previously filed with the four municipalities served by NW in Nebraska and practices in effect at that time.

Upon review of the tariff and the Decker Affidavit, the Commission finds that, for all significant purposes, the rates, terms and conditions of service set forth in the tariff were in effect on or before the effective date of LB 790 either in the form of tariffs previously filed with the four municipalities served by NW in Nebraska or company practices. Any changes were

necessary to transition from municipal regulation to Commission regulation under LB 790 and were either insignificant or not substantive. Specifically, the Commission does not find any changes requiring further consideration, under Section 8(3) of LB 790, at this time.

The Commission reserves the rights to further investigate, on its own initiative or the complaint of the Public Advocate, ratepayer or other interested party, the rates, terms and conditions of service set forth in NW's tariff, pursuant to Section 9 of LB 790.

O R D E R

The original tariff of NorthWestern Energy filed on July 22, 2003, is accepted as reflecting the rates, terms and conditions of service in effect on or before the effective date of LB 790.

MADE AND ENTERED at Lincoln, Nebraska, this 9th day of September, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director